

**REGULAR MEETING – SEPTEMBER 13, 2010 – DAY TOWN BOARD  
UNAPPROVED MINUTES**

**A REGULAR MEETING** of the Town Board of the Town of Day, County of Saratoga, State of New York, was held in the Day Town Hall, 1650 North Shore Road, on September 13, 2010.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:05PM and the following answered roll call: Councilman Preston Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray, Highway Superintendent Scott York, Attorney David Avigdor and Planning Board Chairman David Cox.

**Motion**, made by Charlie Dreyer, seconded by Suzanne Denn, to **approve the minutes** from the August 09, 2010 Special Meeting and Regular Meeting (subject to revision) and the August 12, 2010 Special Meeting.

Supervisor Mary Ann Johnson requested that the August 09, 2010 Regular Meeting minutes be revised concerning the change order submitted by Project Engineer Garry Robinson. This change order was in regards to the retaining wall that is being constructed at the recycling center.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

**Motion**, made by Jeff Gray, seconded by Preston Allen, to **approve the audited vouchers** as follows:

#542	Highway Fund	\$ 956.80
#561- #578 & #593	Highway Fund	\$196,714.36
#542 - #544	General Fund	\$ 1,408.77
#579 - #597	General Fund	\$ 21,431.52

(Supervisor Mary Ann Johnson abstains from voting on voucher #578)

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

**Motion**, made by Suzanne Denn, seconded by Charlie Dreyer, to **approve the monthly reports** from the following: Assessor, Justice Krom, Justice Johnsen, CEO, Town Clerk and Supervisor.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

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**COMMITTEE REPORTS –**

Highway Superintendent Scott York reports that his crew has been working on mowing and finishing work on the shoulders of the roads where paving was completed on Hollow Road and Rice Road. The Town of Day highway crew is also moving sand in preparation for the coming winter. Highway Superintendent Scott York reports that the trash pick-up went well. It took three and a half days to complete and there was not much metal picked-up.

Planning Board Chairman David Cox reports that the Comprehensive Plan is awaiting approval by the Town Board. The next meeting of the Comprehensive Plan Committee will be at 9:30 am on October 12, 2010.

Planning Board Chairman David Cox also reports that the Hudson River – Black River Regulating District will be appointing an acting executive director at the next HR-BR Regulating District meeting.

Suzanne Denn, who is a member of the Day Community Projects Committee, reports that the next event for the DCPC will be the Harvest Festival. The Harvest Festival will take place on October 09, 2010 from 11-2 at the Day Town Hall and will include lunch items, fruit/vegetable stand, crafters and vendors along with entertainment by Jukebox Jim.

The Day Town Board is still working on the new personnel manual and will be reviewing the sample manual at a workshop on October 14<sup>th</sup> at 5:00 PM before the Regular Town Board meeting.

Town Clerk Carol Vaillancourt reports that sales of the 2010-2011 Hunting and Fishing licenses commenced on August 16<sup>th</sup>. The flu shot clinic will be held at Day Town Hall on Friday, November 05<sup>th</sup>, from 10:00 AM – 11:30 AM. Work on the changes in dog licensing is ongoing with a meeting of the Saratoga County Town Clerks taking place on Wednesday Sept. 15<sup>th</sup> which I will attend. This should be a good opportunity to find out the progress other Towns have made, what fees the other Towns might be charging for licensing dogs, who the other Towns are ordering their dog tags from etc.

**OLD BUSINESS –**

Project Engineer Garry Robinson and the Day Town Board discussed the change orders that have been submitted and pointed out to P. E. Garry Robinson that the change order needs to be signed by the contractor. After P. E. Garry Robinson presented the Town Board with pay request #6 on behalf of Driftwood Contracting there was a discussion on what items remained to be completed at the recycling center by Driftwood Contracting. The consensus of the Town Board being that Driftwood Contracting will receive their final payment once everything is completed.

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The Town Board discussed a change to the gate at the recycling center with P. E. Garry Robinson. Supervisor Mary Ann Johnson has received a quote for a new gate from Adirondack Fence with a price of \$1960.00 which includes installation. The Town of Day has received its 50% re-imbusement, in accordance with the terms of MWRRP grant, from the state in the amount of \$84,251.12.

P. E. Garry Robinson submitted vouchers to the Town Board for work done for the Town of Day not related to the recycling center project. These items included research on bid specs for a dump body, examining framing on a log home under construction in the Town of Day and consulting with Code Enforcement Officer Ken Metzler on a sewage complaint.

**NEW BUSINESS –**

The Day Town Board has read and accepted with regret the resignation of Assessor Duane Nealon whose last day with the Town will be September 30, 2010.

Supervisor Mary Ann Johnson has asked the Town Board for approval to sign a maintenance agreement with Mohawk Power Systems for the two generators which are owned by the Town of Day, one of which is located at the Day Town Hall and the other at the Town of Day Highway Garage.

Supervisor Mary Ann Johnson has received complaints regarding problems at two sand pits located in the Town of Day, one of which is owned by the Town of Day. Complaints regarding ATV riding, dirt bikes etc. have been lodged regarding both sand pits. There have also been complaints regarding the use of golf carts on public roads. A property owner has sent a letter to various agencies besides the Town of Day regarding this problem and Councilman Jeff Gray reports that the Sheriff was at the location of the complaints for approx. 5 hours to address the problem. Supervisor Mary Ann Johnson would like to contact the Sheriffs department to thank them for their prompt attention to this matter and to say that she hopes they will continue to be vigilant. Regarding the sand pit belonging to the Town of Day the Town Board has directed Highway Superintendent Scott York to place No Trespassing signs on the perimeter of the property and the Town Board is discussing other ways to remedy the problem.

Supervisor Mary Ann Johnson feels that the Comprehensive Plan the Comprehensive Review Plan Committee has drafted is a great plan with a lot of work that has gone into it. Once a year the Day Town Board, the Day Planning Board and the Day Zoning Board of Appeals will get together to review the preceding year and make sure that each Board is following the intent of the Comprehensive Plan. Supervisor Mary Ann Johnson points out that a committee of 3 people will be selected from either /or the Planning Board or the Zoning Board of Appeals. The committee will meet periodically to review various issues as they come up.

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The Day Town Board feels that the committee should definitely be made up of people from the Planning Board and Zoning Board of Appeals as requested by the Comprehensive Plan Review Committee.

Supervisor Mary Ann Johnson reviewed the NY Bridge Plan with the Town Board which is a temporary, lower price, statewide health insurance option. Options for enrollment and information is available at the Day Town Hall.

There will be free rabies clinics at the Saratoga County Animal Shelter on September 28, October 19 and November 19.

Supervisor Mary Ann Johnson has received two quotes in regards to the outsourcing of payroll processing. One is from ADP which is located in Queensbury NY and the other is from GTM which is located in Clifton Park. Supervisor Johnson has just received the quotes so she will be reviewing them and passing her findings on to the Town Board at the next Regular Town Board meeting which will be on Thursday, October 14, 2010. Supervisor Mary Ann Johnson doesn't believe this needs to go out to bid as it is a service that will be provided to the Town of Day. Supervisor Mary Ann Johnson will check with each company to make sure they are insured and Supervisor Mary Ann Johnson will check with Enhanced Business Systems, who is our software provider, to make sure either business's systems are compatible with ours.

In regards to the low income Day Care program (Child Care Subsidy thru Social Services) the following numbers can be used for contacting Saratoga County Social Services –

Child Welfare – 884-4132, 884-4133 & 884-4125. To reach them by fax – 714-4822.

Empire Blue Cross –Federal Health Care Reform Law – Various changes go into effect on September 23, 2010 including dependent eligibility, pre-existing conditions , choice of primary care provider, emergency services,etc.

EMS report from Edinburg was received by parts of the report were not legible. Supervisor Mary Ann Johnson has requested another copy be sent. Supervisor Mary Ann Johnson points out that the contract with Luzerne – Hadley Emergency Services states that the Town of Day is to receive reports from them but the Town has not received a recent report.

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**PUBLIC INPUT ON ANY RESOLUTIONS - None**

**Motion** made by Suzanne Denn, seconded by Charlie Dreyer, to **approve the following resolutions:**

**#2010-44 Approval by the Day Town Board for Supervisor Mary Ann Johnson to pay Driftwood Contracting once all work is completed**

**#2010-45 Accepting with regret the resignation of Assess Duane Nealon effective September 30, 2010.**

**#2010-46 Approval by the Day Town Board to sign a maintenance agreement with Mohawk Power Systems in regards to the Towns two generators**

**#2010-47 Adoption of the Comprehensive Plan**

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

**CORRESPONDENCE –**

Supervisor Mary Ann Johnson reports that she has received a notice from Time Warner Cable that the rate for high speed internet service will be going up \$5.00.

Supervisor Johnson received a phone call from a resident on Pine Ridge Road commending the Town of Day Highway Department on quickly fixing a problem with Pine Ridge Road.

Supervisor Mary Ann Johnson has received a letter from Real Property Tax Services that a final equalization rate of 68.05% has been established for the Town of Day.

From: Resident on North Shore Road – Day

RE: Recycling and trash pick-up

From: Capital Region Local Government Council

RE: Meeting Notice - Tuesday, September 28<sup>th</sup>, 11:30 -1:30 One United Way Albany

From: Time Warner Cable

RE: Agreements with programmers

From: Academy for Character Education at Sage College

RE: Stand Up For Charactedr

From: State of New York Public Service Commission

RE: Implemenation of program for transmitting documents

From: American Red Cross

RE: Meeting minutes

Atto.rney David Avigdor informed the Town Board that he is still working on the new dog law. Attorney David Avigdor states that he will have it finished as soon as possible so that the Town Board will have time to review the new law before the next Regular Town Board . If the Town Board is agreeable, a date for a public hearing regarding the new dog law can be set at that meeting.

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**Motion**, made by Suzanne Denn, seconded by Preston Allen, to **move to executive session** to discuss litigation was made at 8:32PM.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

**Motion**, made by Charlie Dreyer, seconded by Jeff Gray, to **move out of executive session** was made at 8:53PM.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

**Motion**, made by Charlie Dreyer, seconded by Suzanne Denn, to **adjourn this Regular Meeting** meeting of the Day Town Board at 8:57PM.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

**Carried 5 – 0**

Carol Vaillancourt  
Town Clerk